

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

Michael Kascsak,

Plaintiff,

v.

Expedia, Inc.,

Defendant.

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No. 1:23-cv-1373-DII

JOINT ADVISORY REGARDING MOTION TO SEAL

Plaintiff Michael Kascsak (“Plaintiff”) and Defendant Expedia, Inc. (“Defendant”) jointly seek to inform the Court that they have agreed that Plaintiff’s Motion to Seal, (Dkt. 53), and Defendant’s Response, (Dkt. 55), are now moot.

As background, Plaintiff filed the Motion to Seal on August 7, 2024 in connection with his Motion to Compel in order to present three documents to the Court that Defendant had designated “Confidential” under the parties’ Confidentiality and Protective Order (“Protective Order”), (Dkt. 28). At the same time, Plaintiff notified Defendant that he was challenging the Confidentiality designation of those documents in accordance with the parties’ Protective Order.

After conferring by phone and email on August 15 and 16, the parties agreed that (1) Plaintiff would submit the documents in camera to the Court, rather than seek to file them under seal, *see* Protective Order, Dkt. 28, at ¶ 13, and (2) Plaintiff would withdraw his challenge to the confidentiality of these documents (without prejudice to any later challenge in connection with dispositive motion practice), absolving Expedia of any obligation under the Protective Order to move the Court for an order preserving the documents’ Confidential designation, *id.* at ¶ 12. Plaintiff submitted the documents to the Court in camera on August 16. The parties therefore ask that the Court enter a notation that the Motion to Seal is moot.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on August 22, 2024, I served a copy of the foregoing on the parties listed below by CM/ECF.

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